



U.S. Department
of Transportation
Federal Highway
Administration

Colorado Federal Aid Division
555 Zang Street, Room 250
Lakewood, Colorado 80228

August 30, 2000

Mr. Thomas E. Norton
Executive Director
Colorado Department of Transportation
4201 E. Arkansas Avenue
Denver, Colorado 80222

Re: Agreed to a Policy for the
Review of Environmental Analysis

Dear Mr. Norton:

The Colorado Division Office of the Federal Highway Administration (FHWA) and the Region 8 Office of the Environmental Protection Agency (EPA), have agreed to a policy for the review of Environmental Analysis (EAs) for which FHWA is the lead agency. The intent is to maintain open lines of communication between EPA and FHWA, build trust in the process, and integrity in the product. Please advise all of your Headquarters and Field staff of this policy.

Your cooperation in meeting the condition of this policy is most appreciated.

Sincerely yours,

James Daves
Division Administrator

Enclosure

Ms. Rebecca Hammer
cy: Mr. Sperl
Ms. Farrar
Ms. Vinson
Office Manual
File
Reader File



U.S. Department
of Transportation
**Federal Highway
Administration**

Colorado Federal Aid Division
555 Zang Street, Room 250
Lakewood, Colorado 80228

August 28, 2000

Ms. Rebecca Hanmer
Acting Administrator
Environmental Protection Agency
999 - 18th Street
Denver, Colorado 80202

Re: Environmental Review Process

Dear Ms. Hanmer:

As discussed in our meeting of August 24, 2000, the Colorado Division Office of the Federal Highway Administration (FHWA) and Region 8 of the Environmental Protection Agency (EPA) have developed a policy to ensure adequate opportunity for EPA to review any or all of the Environmental Analysis (EA) documents prepared by FHWA prior to the decision to prepare an Environmental Impact Statement (EIS) or sign a Finding of No Significant Impact (FONSI). The policy is as follows:

FHWA agrees to distribute all EAs to EPA for review. The distribution will be by priority mail. EPA will develop a checklist letter and at it earliest opportunity, but not later than 15 days, will advise FHWA 1) that EPA will have no comments; 2) That EPA will have comments within the 30 day review period, or 3) That EPA has serious objections to the Finding of No Significant Impact (FONSI), and calls for a meeting to discuss the issues.

In the second situation, FHWA will draft a FONSI addressing EPA's comments, and will review the draft with EPA to insure the issues are adequately covered, and that EPA has no objection to the signing of the FONSI.

In case of the third situation, EPA and FHWA will meet to discuss the issues. FHWA will decide and advise EPA whether it will 1) Select a "no build alternative," 2) Prepare an EIS, 3) or, Sign a FONSI. EPA will decide and advise FHWA how it will proceed, ie whether it will refer the project document to CEQ. In such case FHWA will agree to allow EPA 10 additional working days following FHWA's decision should EPA determine to make the referral to CEQ. In the meantime, FHWA agrees not to sign a FONSI until such time as CEQ indicates no interest, or no further objection.

The intent of this policy is to maintain open lines of communication between EPA and FHWA, build trust in the process, and integrity in the product.

This policy is adopted by the FHWA

and concurred in by EPA

date

8/31/00